

# DUTY STATEMENT

CCTC-AGENCY xxx (REV 06/11)

		RPA #	EFFECTIVE DATE:
EMPLOYEE'S NAME		POSITION NUMBER (Agency - Unit - Class - Serial) 192-302-5778-002	
DIVISION/UNIT Legal Office		CLASS TITLE Attorney I	

You are a valued member of the Commission on Teacher Credentialing (CTC). You are expected to work cooperatively with all employees and members of the public to enable the CTC to provide the highest level of service possible. Your creativity and ingenuity are encouraged. Your commitment to treat others fairly, honestly, respectfully, and professionally is critical to the success of the CTC's Mission.

BRIEFLY (1-3 sentences) DESCRIBE THE POSITION'S PRIMARY ROLE AND PURPOSE. PLEASE INCLUDE THE POSITION'S REPORTING RELATIONSHIP AND LEVEL OF INDEPENDENCE.

The Attorney I is a member of the Legal Office whose primary duty is to advise on the prosecution of professional misconduct cases pending review by the Committee of Credentials and engage in legal analysis and render legal advice and opinion on complex and sensitive issues. Under the supervision of the Assistant Chief Counsel, the incumbent performs the following:

Percentage of time performing duties	Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first.
50%	<b><u>ESSENTIAL FUNCTIONS</u></b>  Provides legal support to Division of Professional Practices (DPP) staff. Responsibilities include the following: <ul style="list-style-type: none"><li>• Provide legal advice regarding jurisdictional, procedural, and evidentiary issues related to investigations and prosecution of professional misconduct allegations,</li><li>• Review investigative reports and other documents prepared by DPP staff for legal sufficiency.</li></ul>
45%	Conducts legal research related to Commission activities and/or procedures. Responsibilities include the following: <ul style="list-style-type: none"><li>• Conducts legal research and provides both oral and written legal opinions for the General Counsel/Assistant Chief Counsel, members of the Executive Office, managerial staff, and others on a variety of complex and sensitive government legal matters in diverse fields, including, but not limited to, employment law and discrimination, education and licensing of teachers, governmental contracts, conflicts of interest, the California Public Records Act, and Information Practices Act.</li><li>• Drafts legal memoranda and other papers for the Commission; interprets and applies laws, court decisions, and other legal authorities; prepares and assists in preparing legal documents, including Commission decisions, reviews contracts, and other documents for legal sufficiency.</li></ul>
5%	<b><u>MARGINAL FUNCTIONS</u></b>  Other duties as assigned.

## KNOWLEDGE AND ABILITIES

*Knowledge of:*

- Current laws and codes regarding teacher licensing and disciplinary practices in California.
- Legal research methods and performing research.
- Legal principles and their application.
- Scope and character of California statutory law, including, but not limited to, the California Education Code, Penal Code, Government Code, the policies and regulations of the Commission, the provisions of the California

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Constitution, Bagley-Keene Open Meeting Act, Administrative Procedures Act, Public Records Act, Information Practices Act, and laws governing state public officials and conflict analysis.

- Principles of administrative, governmental, and constitutional law; trial and hearing procedure and rules of evidence, California principles and methods of disciplinary practices for teachers.

### *Ability to:*

- Interpret and apply provisions of the California Education Code, Penal Code, Government Code, and the policies and regulations of the Commission on Teacher Credentialing.
- Analyze, appraise, and apply legal principles, facts, and precedents to legal issues.
- Present statements of fact, law, and argument clearly and logically.
- Prepare correspondence involving the explanation of complex legal issues.
- Analyze situations accurately and adopt an effective course of action.
- Exercise sound judgment.
- Complete a high volume of complex legal analysis under short deadlines.
- Practice excellent time management skills.
- Perform in an independent and creative manner.
- Produce written legal analysis that is clear, concise, and accurate.

### **DESIRABLE QUALIFICATIONS**

- Active member, in good standing, of the State Bar of California.
- Prosecutorial experience in the criminal courts and/or licensing.
- Experience advising on investigations, either criminal or administrative.
- Knowledge and experience in education and educator licensing disciplinary process in the State of California.
- Ability to complete a high volume of complex legal analysis under short deadlines, with accuracy and clarity.
- Knowledge and experience related to the Public Records Act, the Information Practices Act, Bagley-Keene Open Meeting Act, and Administrative Procedures Act.
- Experience with the following entities in California: State Courts, Department of Human Resources, Department of Fair Employment, Housing, and Labor, and the Office of Administrative Law.
- Knowledge and experience applying the following laws: discrimination, sexual harassment, hostile work environment, worker's compensation, equal opportunity employment, governmental conflicts of interest.
- Knowledge and experience reviewing and analyzing hearing records and drafting well-written, persuasive briefs.

### **WORK ENVIRONMENT, PHYSICAL OR MENTAL ABILITIES**

#### Work Environment:

- Requires prolonged sitting, use of telephones and computers.
- Requires mobility to various areas of the CTC and work core business hours of 8:00 a.m. to 5:00 p.m.
- Demonstrates a commitment to perform duties in a service-oriented manner.
- Demonstrates a commitment to maintaining a work environment free from discrimination and sexual harassment.
- Maintains good work habits and adheres to all policies and procedures.
- Requires fingerprint clearance.
- Has daily contact with CTC management and staff.

#### Physical Ability

- Must possess and maintain sufficient strength, agility, endurance, and sensory ability to perform the duties contained in this duty statement with or without reasonable accommodation.
- Requires prolonged sitting.
- Requires mobility to various areas of the CTC.

#### Mental Ability

- Ability to communicate clearly and tactfully.
- Ability to read and follow written and oral instructions.
- Ability to change tasks and work with multiple task assignments.

***Some of the requirements above may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.***

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### PERSONAL CONTACTS

- CTC management and staff.
- Opposing Counsel.
- Educators and the Public.

### LEVEL OF RESPONSIBILITY – ACTIONS AND CONSEQUENCES

Incumbent will have a high level of responsibility. Failure to use good judgment in handling sensitive and confidential information could result in confidential and/or incorrect information being released to unauthorized person and may result in adverse actions. The actions of the individual can and will affect the Commission public responsibility and the safety of the children of California.

MANAGER/SUPERVISOR'S STATEMENT: ***I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE***

MANAGER/SUPERVISOR'S NAME (Print)

MANAGER/SUPERVISOR'S SIGNATURE

DATE

EMPLOYEE'S STATEMENT: ***I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT***

The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise balance the workload.

EMPLOYEE'S NAME (Print)

EMPLOYEE'S SIGNATURE

DATE